APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/837,251	04/18/2001	Cheryl Hite	20191-703	1377

30554 7590 07/19/2004		EXAMINER	
SHEMWELL GREGORY & COURTNEY LLP		MCCARTHY, CHRISTOPHER S	
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SUITE 201		ART UNIT	PAPER NUMBER
SAN JOSE, CA 95129		2113	

DATE MAILED: 07/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _18 April 2001_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-31_ is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-31_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _18 April 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All   b)☐ Some * c)☐ None of:

  1.☐ Certified copies of the priority documents have been received.

  2.☐ Certified copies of the priority documents have been received in Application No. _____.

  3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

DETAILED ACTION

Specification

1.   The disclosure is objected to because of the following informalities: The title

misspells the word "identification." Appropriate correction is required.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3.   Claims 1-6, 8-15, 17-20, 22-27, 29-30 are rejected under 35 U.S.C. 102(b) as

being anticipated by Donnelly et al U.S. Patent 6,049,776.

As per claim 1, Donnelly teaches a method for providing real-time indications of

resource scheduling conflicts in a resource scheduling process comprising: analyzing

resource scheduling data including real-time detection of resource conflicts; and

conveying unobtrusively to a user an indication that a resource conflict exists, wherein

conveying the indication of a resource conflict occurs concurrently with the resource

scheduling process (column 18, lines 30-52).

As per claim 2, Donnelly teaches the method of claim 1, further comprising

presenting to the user, upon selection, a description of the resource conflict (column 18,

lines 30-52; column 21, line 53 – column 22, line 17).

As per claim 3, Donnelly teaches the method of claim 1, wherein presenting includes providing the user the choice to suppress the resource conflict (column 18, lines 39-46).

As per claim 4, Donnelly teaches the method of claim 1, wherein presenting includes providing the user a potential resolution of the resource conflict (column 18, lines 39-46).

As per claim 5, Donnelly teaches the method of claim 1, wherein the potential resolution further comprises a hyperlink to a relevant portion of the resource scheduling process allowing the resource conflict to be resolved (column 18, lines 39-46; figure 28) wherein, it is inherent that the override button pressed by the user client triggers a hyperlink to the server to remedy the conflict.

As per claim 6, Donnelly teaches the method of claim 1, wherein the indication includes a visual representation (column 21, line 53 – column 22, line 17).

As per claim 8, Donnelly teaches a system for providing real-time indication of resource scheduling conflicts in a resource scheduling process, the system comprising; a user interface receiving data from a user; a processor coupled to the user interface, wherein the processor is capable of executing instructions; a display device coupled to the processor; and a memory device coupled to the processor, the memory device storing the instructions comprising a resource scheduling process, wherein the resource scheduling process analyzes agent data, scheduling criteria, and detects resource conflicts, an error identification process, wherein error identification occurs concurrently with the resources scheduling process including presenting a description of the resource

conflict and a potential solution to resolve the resource conflict (column 18, lines 30-52;

column 8, lines 3-46).

As per claim 9, Donnelly teaches the system of claim 8, wherein the potential

solution further comprises a hyperlink to a relevant portion of the resource scheduling

process allowing the resource conflict to be resolved (column 18, lines 39-46; figure 28)

wherein, it is inherent that the override button pressed by the user client triggers a

hyperlink to the server to remedy the conflict.

As per claim 10, Donnelly teaches the system of claim 8, wherein the indication

includes a visual representation (column 21, lines 53 – column 22, line 17).

As per claim 12, Donnelly teaches computer-readable medium containing

executable instructions which, when executed in a processing system (column 8, lines 4-

36), causes the system to: analyze resource scheduling data via a resource scheduling

process and detect a resource conflict, convey unobtrusively to a user an indication that

the resource conflict exists concurrently with the resources scheduling process; and

present to the user, upon selecting the indication, a description of the resource conflict

and a potential solution to resolve the resource conflict (column 18, lines 30-52).

As per claim 13, Donnelly teaches the computer-readable medium of claim 12,

wherein the executable instructions, when executed, further allow the user to suppress the

resource conflict wherein suppressing comprises allowing the resource scheduling

process to continue while the resource conflict persists (column 18, lines 30-52).

As per claim 14, Donnelly teaches the computer-readable medium of claim 12,

wherein the executable instructions, when executed, present a hyperlink to a relevant

portion of the resource scheduling process where the resource conflict is resolved

(column 18, lines 39-46; figure 28) wherein, it is inherent that the override button pressed by the user client triggers a hyperlink to the server to remedy the conflict.

As per claim 15, Donnelly teaches the computer-readable medium of claim 12, wherein the indication includes a visual representation (column 21, line 53 – column 22, line 17).

As per claim 17, Donnelly teaches a system for providing real-time identification of resource scheduling conflicts, the system comprising: at least one server comprising at least one storage device; at least one client processor coupled to the server through a network, wherein the processor is coupled to at least one storage device (column 8, lines 3-46), the storage device storing instructions that, when executed, causes at least one client processor to, analyze agent data and scheduling criteria to detect a resource conflict; concurrently convey an identification of the resource conflict; present, upon selection, a description of the resource conflict; and present a potential solution to resolve the resource conflict (column 18, lines 30-52).

As per claim 18, Donnelly teaches the system of claim 17, wherein the instructions include providing the user the choice to suppress the resource conflict (column 18, lines 39-46).

As per claim 19, Donnelly teaches the system of claim 17, wherein the potential solution further comprises a hyperlink to a relevant portion of the resource scheduling process allowing the resource conflict to be resolved (column 18, lines 39-46; figure 28) wherein, it is inherent that the override button pressed by the user client triggers a hyperlink to the server to remedy the conflict.

As per claim 20, Donnelly teaches the system of claim 17, wherein the indication includes a visual representation (column 21, line 53 – column 22, line 17).

As per claim 23, Donnelly teaches a method for providing real-time indications of resource scheduling conflicts comprising: analyzing resource scheduling data including real-time detection of resource conflicts; conveying unobtrusively to a user an indication that a resource conflict exists, wherein the conveying of the indication of the resource conflict occurs concurrently with the resource scheduling process and wherein the indication of a resource conflict includes identifying at least one resource associated with the resource conflict; and presenting to the user a description of the resource conflict and a potential resolution of the resource conflict (column 18, lines 30-52).

As per claim 24, Donnelly teaches the method of claim 23, wherein presenting includes providing the user a choice to suppress the resource conflict (column 18, lines 39-46).

As per claim 25, Donnelly teaches the method of claim 23, wherein presenting includes providing the user a choice of viewing the description of resource conflicts (column 18, lines 30-52).

As per claim 26, Donnelly teaches the method of claim 23, wherein the potential solution further comprises a hyperlink to a relevant portion of the resource scheduling process allowing the resource conflict to be resolved (column 18, lines 39-46; figure 28) wherein, it is inherent that the override button pressed by the user client triggers a hyperlink to the server to remedy the conflict.

As per claim 27, Donnelly teaches the method of claim 23, wherein conveying an indication includes a visual representation (column 21, line 53 – column 22, line 17).

As per claim 29, Donnelly teaches the method of claim 23, wherein the resource

conflicts are of different types, and wherein identifying includes indicating a type of a

resource conflict (column 18, lines 30-52; column 21, line 53 – column 22, line 17).

As per claim 30, Donnelly teaches the method of claim 29, wherein the various

types include a rule-based conflict and a calendar based conflict (column 22, lines 3-7).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 7, 11, 16, 21, 22, 28, 31 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Donnelly et al. U.S. Patent 6,049,776 in view of Rassman U.S. Patent

4,937,743.

As per claims 7, 11, 16, 21, and 28, Donnelly teaches the visual representation of

a suppressed or unsuppressed resource conflict (column 21, line 53 – column 22, line 21).

However, Donnelly does not explicitly teach wherein the using a first color [red] for an

unsuppressed resource conflict and a second color [yellow] for a suppressed resource

conflict. Rassman does teach using colors as an indication of a resource conflict (column

6, lines 9-19). It would have been obvious to one of ordinary skill in the art at the time

the invention was made to use the "conflict indicia" of Rassman to the visual

representation of Donnelly. One of ordinary skill in the art would have been motivated to

use the "conflict indicia" of Rassman to the visual representation of Donnelly because

Rassman teaches the importance of visually indicating to the user of any incompatible

scheduling of resources; a need explicitly desired by Donnelly (column 21, line 53 –

column 22, line 21).

As per claim 22, Donnelly teaches a method for providing real-time identification

of resource scheduling conflicts, in a resource scheduling process comprising: analyzing

resource scheduling data via a resource scheduling process including real time detection

of resource conflicts; conveying unobtrusively to a user a visual indication that the

resource conflict exists, wherein conveying the indication occurs concurrently with the

resource scheduling process; allowing the user to suppress the resource conflict,

presenting to the user a description of the resource conflict and a potential solution to

resolve the resource conflict, wherein the potential solution includes a hyperlink to a

relevant portion of the resource scheduling process allowing the resource conflict to be

resolved (column 18, lines 30-52; column 21, line 50 – column 22, line 17). Donnely

does not explicitly teach wherein the visual indication of the resource conflict uses a first

color for unsuppressed resource conflicts and a second color for suppressed conflicts.

Rassman does teach using colors as an indication of a resource conflict (column 6, lines

9-19). It would have been obvious to one of ordinary skill in the art at the time the

invention was made to use the "conflict indicia" of Rassman to the visual representation

of Donnelly. One of ordinary skill in the art would have been motivated to use the

"conflict indicia" of Rassman to the visual representation of Donnelly because Rassman

teaches the importance of visually indicating to the user of any incompatible scheduling

of resources; a need explicitly desired by Donnelly (column 21, line 53 – column 22, line 21).

As per claim 31, Donnelly teaches the method of claim 30, wherein the various types of conflicts, rule-based and calendar-based, are visually represented (column 22, lines 1-10). Donnelly does not explicitly teach wherein the visual representation includes using a third color for a rule-based conflict and a fourth color for a calendar-based conflict. Rassman does teach using colors as an indication of types of resource conflicts (column 6, lines 9-19). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the "conflict indicia" of Rassman to the visual representation of Donnelly. One of ordinary skill in the art would have been motivated to use the "conflict indicia" of Rassman to the visual representation of Donnelly because Rassman teaches the importance of visually indicating to the user of any incompatible scheduling of resources; a need explicitly desired by Donnelly (column 21, line 53 – column 22, line 21).

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: See attached PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher S. McCarthy whose telephone number is (703)305-7599. The examiner can normally be reached on M-F, 8 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Robert Beausoliel can be reached on (703)305-9713. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

csm
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